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RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

OAKLAND DIVISION

CV 11 4232
NO.

UNITED STATES OF AMERICA and
ANTHONY MERLINO, Revenue
Officer,

Petitioners,

v.

JACK J. CHILDS,

Respondent.

~~Proposed~~
ORDER TO SHOW CAUSE RE
ENFORCEMENT OF INTERNAL
REVENUE SERVICE SUMMONS

Good cause having been shown by the petitioner upon its petition filed in the above-entitled proceeding on August 26, 2011, it is hereby:

ORDERED that respondent Jack J. Childs appear before this Court on the 18th day of October, 2011, at 9 a.m., in Courtroom No. E, 15th Floor, United States District Court, 450 Golden Gate Ave, San Francisco, ~~1301 Clay Street, Oakland~~, California, and then and there show cause, if any, why respondent should not be compelled to appear and provide documents and testimony as required by the summons heretofore served upon respondent as alleged and set forth in particular in said petition; and it is further

ORDERED that a copy of this Order to Show Cause, together with a copy of the aforesaid petition, be served upon said respondent in accordance with Rule 4 of the Federal Rules of Civil Procedure at least thirty-five (35) days before the return date of this Order above

1 specified; and it is further

2 **ORDERED** that within twenty-one (21) days before the return date of this Order,
3 respondents may file and serve a written response to the petition, supported by appropriate
4 affidavit(s) or declaration(s) in conformance with 28 U.S.C. § 1746, as well as any motion
5 respondent desire to make, that the petitioner may file and serve a written reply to such response,
6 if any, within fourteen (14) days before the return date of this Order; that all motions and issues
7 raised by the pleadings will be considered on the return date of this Order, and only those issues
8 raised by motion or brought into controversy by the responsive pleadings and supported by
9 affidavit(s) or declaration(s) will be considered at the return of this Order, and any uncontested
10 allegation in the petition will be considered admitted.

11 **ORDERED** this 30th day of August 30, 2011, at Oakland, California.

